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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/987,099	11/13/2001	Ho Joong Jeong	P-0287	6520

34610 7590 05/21/2004

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EXAMINER	
PEACHES, RANDY	

ART UNIT	PAPER NUMBER
2686	3

DATE MAILED: 05/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/987,099	JEONG, HO JOONG	
	Examiner	Art Unit	
	Randy Peaches	2686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11 and 14-16* is/are rejected.

7)☒ Claim(s) *12,13,17 and 18* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☒ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Priority

Should applicant desire to obtain the benefit of foreign priority under 35 U.S.C. 119(a)-(d) prior to declaration of an interference, a translation of the foreign application should be submitted under 37 CFR 1.55 in reply to this action.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. ***Claims 1-4*** are rejected under 35 U.S.C. 102(e) as being anticipated by Helle (U.S. Patent Number 6,662,023 B1).

Regarding ***claim 1***, Helle discloses a method for preventing an illegal use of a mobile communication terminal comprising the steps of:

- transmitting a control message, as taught in columns 3 and 5 lines 56-58 lines 25-52, respectively, which reads on claimed "short message service (SMS) message", to a lost terminal when a user requests a phone-locking service; and

- analyzing the received said control messages to set a phone-locking state for the lost terminal.

Regarding ***claim 2***, according to ***claim 1***, Helle discloses in columns 5 and 6 lines 65-67 lines 1-5, wherein the SMS message includes a header and a keyword, which reads on claimed "ciphered string".

Regarding ***claim 3***, according to ***claim 1***, Helle further teaches in columns 5 and 6 lines 37-44 lines 65-67 lines 1-5 lines 38-42, respectively, wherein the phone-locking function setting step comprises:

- checking whether a said keyword is contained in the SMS message; discriminating a type of the ciphered string; and
- setting the lost terminal to a phone-locking state, if the said keyword is for a phone-locking use.

Regarding ***claim 4***, according to ***claim 3***, Helle further discloses in columns 5 and 6 lines 37-44 lines 65-67 lines 38-42, respectively, wherein the phone-locking state setting step comprises:

- reading and matching a security code, which reads on claimed "a lock code", from a memory;
- enabling a parameter (see column 6 lines 5-7), which reads on claimed "variable value", for the phone-locking; and

- setting the phone-locking state on the basis of the keyword and the security code, which reads on claimed "lock code" and displaying a phone-locking state on an LCD screen.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. ***Claims 5-11*** are rejected under 35 U.S.C. 103(a) as being unpatentable over Helle (U.S. Patent Number 6,662,023 B1) in view of Backstrom (U.S. Patent Number 6,289,214 B1).

Regarding ***claim 5***, Helle discloses a method for preventing an illegal use of a mobile communication terminal comprising the steps of:

- transmitting an SMS message to a lost terminal from a control language module (64), which reads on claimed "exchange" (see FIGURE 2 and column 5 lines 55-60), when a phone-locking service is requested; and
- analyzing the received said control messages. See columns 5 and 6 lines 65-67 lines 1-5, respectively.

However, Helle does not teach of disabling or turning off an LCD power by the lost terminal.

Backstrom discloses in column 5 lines 35-53 of an ANSI-41 SMS deactivation, which reads on claimed "turning off", message being communicated to a remote mobile radiotelephone.

Therefore at the time of the invention it would have been obvious to a person of ordinary skilled in the art to modify Helle (U.S. Patent Number 6,662,023 B1) to include Backstrom (U.S. Patent Number 6,289,214 B1) in order to include a said keyword that instructs the said lost terminal to be turned off to prevent illegal usage of the device.

Regarding ***claim 6***, as the above combination of Helle (U.S. Patent Number 6,662,023 B1) and Backstrom (U.S. Patent Number 6,289,214 B1) are made, the combination according to ***claim 5***, Helle discloses in columns 5 and 6 lines 65-67 lines 1-5, wherein the SMS message includes a header and a keyword, which reads on claimed "ciphered string".

Regarding ***claim 7***, as the above combination of Helle (U.S. Patent Number 6,662,023 B1) and Backstrom (U.S. Patent Number 6,289,214 B1) are made, the combination according to ***claim 5***, Helle discloses in columns 5 and 6 lines 37-44 lines 65-67 lines 1-5 lines 38-42, respectively:

- checking whether a said keyword exists in the SMS message;
- discriminating a type of the ciphered string contained in the SMS message; and

However, Helle does not teach of disabling or turning off an LCD power by the lost terminal.

Backstrom discloses in column 5 lines 35-53 of an ANSI-41 SMS deactivation, which reads on claimed "turning off", message being communicated to a remote mobile radiotelephone.

Therefore at the time of the invention it would have been obvious to a person of ordinary skilled in the art to modify Helle (U.S. Patent Number 6,662,023 B1) to include Backstrom (U.S. Patent Number 6,289,214 B1) in order to disclose a feature that determines the said keyword contained in a said control message which instructs the said lost terminal to deactivate after the transmitted said keyword is authenticated.

Regarding ***claim 8***, Helle discloses a method for preventing an illegal use of a mobile communication terminal comprising the steps of:

- a first step in which when a user requests a phone-locking service, an SMS message is transmitted to the lost terminal. See Helle column 3 lines 56-62; and
- a second step in which the received SMS message is analyzed to set a phone-locking function or turn off an LCD power. See Helle columns 5 and 6 lines 65-67 lines 1-5 lines 37-43, respectively.

Regarding ***claim 9***, as the above combination of Helle (U.S. Patent Number 6,662,023 B1) and Backstrom (U.S. Patent Number 6,289,214 B1) are made, the combination according to ***claim 8***, Helle discloses in columns 5 and 6 lines 65-67 lines 1-5, wherein

the said control message, which reads on claimed "SMS message", includes a header and a keyword, which reads on claimed "ciphered string".

Regarding ***claim 10***, as the above combination of Helle (U.S. Patent Number 6,662,023 B1) and Backstrom (U.S. Patent Number 6,289,214 B1) are made, the combination according to ***claim 8***, Helle discloses in columns 5 and 6 lines 37-44 lines 65-67 lines 1-5 lines 38-42, respectively:

- checking whether a said keyword exists in the SMS message;
- discriminating a type of the ciphered string contained in the SMS message; and

However, Helle does not teach of disabling or turning off an LCD power by the lost terminal.

Backstrom discloses in column 5 lines 35-53 of an ANSI-41 SMS deactivation, which reads on claimed "turning off", message being communicated to a remote mobile radiotelephone.

Therefore at the time of the invention it would have been obvious to a person of ordinary skilled in the art to modify Helle (U.S. Patent Number 6,662,023 B1) to include Backstrom (U.S. Patent Number 6,289,214 B1) in order to disclose a feature that determines the said keyword contained in a said control message which instructs the said lost terminal to deactivate after the transmitted said keyword is authenticated.

Regarding ***claim 11***, as the above combination of Helle (U.S. Patent Number 6,662,023 B1) and Backstrom (U.S. Patent Number 6,289,214 B1) are made, Helle further teaches

in columns 5 and 6 lines 37-44 lines 65-67 lines 1-5 lines 38-42, respectively, wherein the phone-locking state setting step comprises:

- checking whether a said keyword is contained in the SMS message; discriminating a type of the ciphered string; and
- enabling a parameter (see Helle column 6 lines 5-7), which reads on claimed "variable value", for the phone-locking; and
- setting the phone-locking state on the basis of the keyword and the security code, which reads on claimed "lock code" and displaying a phone-locking state on an LCD screen.

3. ***Claims 14-16*** are rejected under 35 U.S.C. 103(a) as being unpatentable over Helle (U.S. Patent Number 6,662,023 B1) in view of Backstrom (U.S. Patent Number 6,289,214 B1) and in further view of Krishnamurthi et al (U.S. Patent Number 6,198,929 B1).

Regarding ***claim 14***, Helle discloses a method for preventing an illegal use of a mobile communication terminal comprising the steps of as taught in columns 5 and 6 lines 37-44 lines 65-67 lines 1-5 lines 38-42, respectively:

- checking whether a said keyword exists in the SMS message;
- discriminating a type of the ciphered string contained in the SMS message; and

However, Helle does not teach of disabling or turning off an LCD power by the lost terminal.

Backstrom discloses in column 5 lines 35-53 of an ANSI-41 SMS deactivation, which reads on claimed "turning off", message being communicated to a remote mobile radiotelephone.

Therefore at the time of the invention it would have been obvious to a person of ordinary skilled in the art to modify Helle (U.S. Patent Number 6,662,023 B1) to include Backstrom (U.S. Patent Number 6,289,214 B1) in order to disclose a feature that determines the said keyword contained in a said control message which instructs the said lost terminal to deactivate after the transmitted said keyword is authenticated.

However the combination of Helle (U.S. Patent Number 6,662,023 B1) in view of Backstrom (U.S. Patent Number 6,289,214 B1) doe not disclose where the said lost terminal is receiving the said control message from a base station.

Krishnamurthi et al teaches in column 2 lines 19-24, where the SMS message is transmitted via a base station to a terminal.

Therefore at the time of the invention it would have been obvious to a person of ordinary skilled in the art to modify the combination of Helle (U.S. Patent Number 6,662,023 B1) and Backstrom (U.S. Patent Number 6,289,214 B1) to further include Krishnamurthi et al (U.S. Patent Number 6,198,929 B1) in order to transmit the said SMS or as referenced above, the said control message, to the said lost terminal the instruction to prevent illegal usage of the device.

Regarding ***claim 15***, as the above combination of Helle (U.S. Patent Number 6,662,023 B1), Backstrom (U.S. Patent Number 6,289,214 B1) and Krishnamurthi et al (U.S.

Patent Number 6,198,929 B1) are made, the combination according to ***claim 14***, Helle discloses in columns 5 and 6 lines 65-67 lines 1-5, wherein the said control message, which reads on claimed "SMS message" includes a header and a keyword, which reads on claimed "ciphered string".

Regarding ***claim 16***, as the above combination of Helle (U.S. Patent Number 6,662,023 B1), Backstrom (U.S. Patent Number 6,289,214 B1) and Krishnamurthi et al (U.S. Patent Number 6,198,929 B1) are made, the combination according to ***claim 14***, Helle further discloses in columns 5 and 6 lines 37-44 lines 65-67 lines 38-42, respectively, wherein the phone-locking state setting step comprises:

- reading and matching a security code, which reads on claimed "a lock code", from a memory;
- enabling a parameter (see column 6 lines 5-7), which reads on claimed "variable value", for the phone-locking; and
- setting the phone-locking state on the basis of the keyword and the security code, which reads on claimed "lock code" and displaying a phone-locking state on an LCD screen.

Allowable Subject Matter

Claims 12-13 and 17-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Randy Peaches whose telephone number is (703) 305-8993. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on (703) 305-4379. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Randy Peaches

5_16_04

NGUYEN T. VO
PRIMARY EXAMINER